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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,916	06/13/2000	Adriano Huber	PM 258042	5750

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EXAMINER	
GYORFI, THOMAS A	

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application N .	Applicant(s)	
	09/592,916	HUBER ET AL.	
	Examiner	Art Unit	
	Tom Gyorfi	2135	

--The MAILING DATE f this communication appears on the c ver sheet with the correspondence address --

THE REPLY FILED 09 November 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☒ The period for reply expires 5 months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1.☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2.☐ The proposed amendment(s) will not be entered because:

(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

(b) ☐ they raise the issue of new matter (see Note below);

(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3.☒ Applicant's reply has overcome the following rejection(s): 1-17, 19-24.

4.☒ Newly proposed or amended claim(s) *1-17, and 19-24* would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5.☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *see Continuation sheet*.

6.☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7.☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: *1-17 and 19-24*.

Claim(s) objected to: _____.

Claim(s) rejected: *18 and 25-35*.

Claim(s) withdrawn from consideration: _____.

8.☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9.☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10.☐ Other: _____

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Continuation of 5.: The amendment does not place the condition in allowance because Applicant's arguments are not persuasive. Regarding claim 18, Applicant argues, "However, claim 1 [sic] specifically recites that it is a browser on the WAP-enabled terminal which extracts a port number and copies it to the packets. One skilled in the art would know that this is not a feature of state-of-the-art browser applications at the priority date of this application." Examiner disagrees with this contention, as it was well-known in the art at the time of the invention that any web browser, and indeed any application program capable of communicating in accordance with the Hypertext Transfer Protocol, inherently possessed the ability to extract a port number from a URL and copy it to packets sent to a gateway. Applicant is directed to RFC 1945, which teaches that a URL must be parsed in order to determine inter alia (a) if a port number was specified in the URL, and (b) if a port number is found, to which port must the packets be addressed to (RFC1945, page 15, section 3.2.2). Thus, the act of parsing a URL for a port number constitutes "a browser in said terminal extract[ing] the port number of the demanded WEB or WAP page and copies it to packets sent to [a] gateway".

Regarding claim 25, Applicant argues, "There is no teaching of converting between a first security protocol using an encryption and a second security protocol using an encryption." Examiner disagrees, noting that Gelman teaches that the prior art can be used as a generic protocol converter (col. 31, lines 40-50). Since the use of security protocols containing an encryption are disclosed as permissible protocols for conversion, it is thus inherent to Gelman that a conversion between a first and second security protocols could be achieved.

Regarding claims 26-30, Applicant argues, "Claim 26 recites a request path of a 'terminal generating a request including request packets encrypted using a WTLS protocol' through a gateway for 'forwarding said request to said server or to another server, wherein said gateway does not decrypt all of said request packets' to a server 'decrypting some number of said request packets using said WTLS protocol'. Claim 26 also recites a data path of said server or another server 'serving data to said terminal via said gateway' also using the WTLS protocol, wherein "said gateway does not decrypt all of said data packets'. As discussed above and at the personal interview, there is no suggestion in Lincke of using the WTLS protocol." Examiner disagrees, noting that the claim as written recites _a_ WTLS, or Wireless transport Layer security protocol. The protocol cited in the rejection is a transport layer protocol that implements security and is used on wireless devices (col. 83, lines 1-20), ergo it is a wireless transport security protocol.

Further regarding claims 25-36, as a general rule the use of gateways in converting data packets from one format to another is well known in the art. Examiner maintains that these claims are unpatentable.

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